

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL NO. 1456
LITIGATION)	Civil Action No. 01-12257-PBS
)	Subcategory No. 03-10643
THIS DOCUMENT RELATES TO:)	
)	Judge Patti B. Saris
<i>The City of New York, et al.</i>)	
<i>v.</i>)	
<i>Abbott Laboratories, Inc., et al.</i>)	

**OCTOBER 2012 STATUS REPORT ON BEHALF OF
THE CITY OF NEW YORK AND NEW YORK COUNTIES**

The undersigned counsel for the City of New York and New York Counties in the above-captioned action (hereinafter referred to as "plaintiffs") hereby submit the attached Status Report for October 2012, in accordance with the Court's June 17, 2004 Procedural Order.

Dated: October 2, 2012

Respectfully submitted,

**City of New York and New York Counties in
MDL 1456 except Nassau and Orange, by**

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**October 2012 Status Report on Behalf of the
City of New York and New York Counties**

Voluntary Dismissal of Claims Against Par

On October 2, 2012, plaintiffs filed a Stipulation of Dismissal with Prejudice of Plaintiffs' Claims Against Defendants Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. See Docket No. 8199.

Settlement Orders of Dismissal

On August 10, 2012, the court entered the parties' fifth joint motion to extend the 90-day settlement order of dismissal of claims. The order provides that claims against the remaining defendants shall be dismissed without cost and without prejudice of any party, upon good cause shown, to reopen the action after October 30, 2012 if settlement is not consummated. *See* Docket No. 8186, Sub-Docket 337. The order applies to the only remaining defendant in this action, King/Monarch.

CERTIFICATE OF SERVICE

I, Kathryn B. Allen, hereby certify that on the 2nd day of October 2012, I caused a true and correct copy of the above October 2012 Status Report for the City of New York and New York Counties to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: October 2, 2012

/s/ Kathryn B. Allen
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